

# Adopted by House 4-11-2013

SB270 H JUD AM 4-9 #1 as amended

The Committee on the Judiciary moves to amend the bill on page two, following the enacting section by striking out the remainder of the bill and inserting in lieu thereof, the following language:

1 **"ARTICLE 7. AUTHORIZATION FOR DEPARTMENT OF REVENUE TO PROMULGATE**  
2 **LEGISLATIVE RULES.**

3 **§64-7-1. Insurance Commissioner.**

4 The legislative rule filed in the State Register on August 31,  
5 2012, authorized under the authority of section five, article  
6 twenty-five-g, chapter thirty-three, of this code, modified by the  
7 Insurance Commissioner to meet the objections of the Legislative  
8 Rule-Making Review Committee and refiled in the State Register on  
9 October 18, 2012, relating to the Insurance Commissioner (provider  
10 sponsored networks, 114 CSR 43A), is authorized with the following  
11 amendments:

12 On page one, subsection 2.1., by striking out "ths" and  
13 inserting in lieu thereof the word "this";

14 And,

15 On page two, paragraph 4.3.b.1., after the words "financial  
16 statements" by adding the words "that reflect positive net worth".

17 **§64-7-2. Athletic Commission.**

18 The legislative rule filed in the State Register on August 27,  
19 2012, authorized under the authority of section three-a, article  
20 five-a, chapter twenty-nine, of this code, modified by the Athletic

1 Commission to meet the objections of the Legislative Rule-Making  
2 Review Committee and refiled in the State Register on October 18,  
3 2012, relating to the Athletic Commission (mixed martial arts, 177  
4 CSR 2), is authorized with the following amendments:

5 On page four, section five, line one, after the number 2500,  
6 by inserting a period and striking out the remainder of the  
7 sentence;

8 On page four, section six, line four, by striking out the  
9 dollar amount \$35,000 and inserting in lieu thereof, the dollar  
10 amount \$10,000;

11 On page six, section eight, subsection 8.1, line five, by  
12 striking out the dollar amount \$30,000 and inserting in lieu  
13 thereof, the dollar amount \$20,000;

14 And,

15 On page six, section eight, subsection 8.2, line two, by  
16 striking out the dollar amount \$30,000 and inserting in lieu  
17 thereof, the dollar amount \$20,000.".

18 **§64-7-3. Racing Commission.**

19 (a) The legislative rule filed in the State Register on August  
20 27, 2012, authorized under the authority of section six, article  
21 twenty-three, chapter nineteen, of this code, modified by the  
22 Racing Commission to meet the objections of the Legislative Rule-  
23 Making Review Committee and refiled in the State Register on  
24 December 4, 2012, relating to the Racing Commission (thoroughbred  
25 racing, 178 CSR 1), is authorized with the following amendments:

26 On page thirty-seven, subdivision 24.1.i, by striking out the

1 word "sixteen (16)" and inserting in lieu thereof the word  
2 "eighteen (18)"; and

3 On page thirty seven, subdivision 24.1.1, following the word  
4 "age" by inserting the following language: ": Provided, except that  
5 an occupational permit may be granted at sixteen (16) years of age  
6 for the children or grandchildren of licensed permit holders;  
7 licensed permit holders being defined for the purposes of this  
8 subdivision as owners, breeders, trainers and veterinarians"

9 (b) The legislative rule filed in the State Register on August  
10 27, 2012, authorized under the authority of section six, article  
11 twenty-three, chapter nineteen, of this code, relating to the  
12 Racing Commission (greyhound racing, 178 CSR 2), is authorized.

13 (c) The legislative rule filed in the State Register on August  
14 27, 2012, authorized under the authority of section six, article  
15 twenty-three, chapter nineteen, of this code, relating to the  
16 Racing Commission (pari-mutuel wagering, 178 CSR 5), is authorized.

17 **§64-7-4. Lottery Commission.**

18 The legislative rule filed in the State Register on August 10,  
19 2012, authorized under the authority of section five, article  
20 twenty-two, chapter twenty-nine, of this code, modified by the  
21 Lottery Commission to meet the objections of the Legislative Rule-  
22 Making Review Committee and refiled in the State Register on  
23 December 20, 2012, relating to the Lottery Commission (state  
24 lottery rules, 179 CSR 1), is authorized.

25 **§64-7-5. State Tax Department.**

26 The legislative rule filed in the State Register on August 30,

1 2012, authorized under the authority of section five, article one-  
2 c, chapter eleven, of this code, modified by the State Tax  
3 Department to meet the objections of the Legislative Rule-Making  
4 Review Committee and refiled in the State Register on December 6,  
5 2012, relating to the State Tax Department (valuation of commercial  
6 and industrial real and personal property for ad valorem property  
7 tax purposes, 110 CSR 1P), is authorized, with the following  
8 amendments:

9 On page one, subsection 1.1, beginning on line ten, by  
10 striking out subsection 1.1 in its entirety and inserting in lieu  
11 thereof the following:

12 "1.1 Scope. - These regulations clarify and implement State  
13 law as it relates to the appraisal at market value of commercial  
14 and industrial real and personal property under W. Va. Code §11-  
15 10C-10. ~~Because these regulations provide context modifications of~~  
16 ~~relevant parts of 110 C.S.R. 1 and such regulations with context~~  
17 ~~modifications were adopted by the Tax Commissioner through~~  
18 ~~inclusion in the valuation plan required by W. Va. Code~~  
19 ~~§11-1C-10(e), W. Va. Code §11-1C-5(b) eliminated the requirement~~  
20 ~~that this filing be subject to the proceeding requirements of W.~~  
21 ~~Va. Code §29A-3-1 et seq."~~;

22 And,

23 On page two, subsection 2.14, line twenty-four, following the  
24 words "remaining in", by striking out the words "the landlord" and  
25 inserting in lieu thereof the word "one".